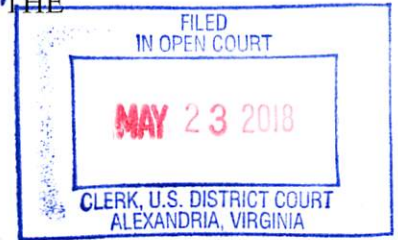


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

KANWAR SARABJIT SINGH,
(a/k/a "Sandy Singh")

Defendant.

) No. 1:18CR228(LO)

)

) **UNDER SEAL**

)

) Counts 1 through 23:

) Wire Fraud

) 18 U.S.C. § 1343

)

) Count 24:

) False Personation

) 18 U.S.C. § 912

Forfeiture Notice

INDICTMENT

MAY 2018 TERM - AT ALEXANDRIA

THE GRAND JURY CHARGES THAT:

At all times relevant to this Indictment, unless otherwise stated:

GENERAL ALLEGATIONS

1. The Department of Homeland Security ("DHS") is a department of the executive branch of the United States ("U.S.") that is responsible for, among other things, processing applications for immigration to the United States. DHS's primary headquarters is located in Washington, D.C.

2. United States Citizenship and Immigration Services ("U.S.C.I.S.") is the agency within DHS delegated to administer immigration laws, including processing applications for lawful permanent resident status ("green cards") and citizenship through naturalization.

3. A “green card” is a Permanent Resident Card which allows foreign nationals to live and work permanently in the United States. In general, there must be a visa available before an individual can apply for a “green card.”

4. A citizen of a foreign country who seeks to enter the United States generally must first obtain a U.S. visa, which is placed in the traveler’s passport. Visas typically include limits on the duration of the stay and/or a right to work.

5. A passport is a travel document issued by the traveler’s country of citizenship.

6. An “R-1” visa can be issued to a foreign national who is coming to the United States temporarily to be employed as a minister or in another religious vocation or occupation at least part time by a non-profit religious organization in the United States.

7. Defendant KANWAR SARABJIT SINGH (a/k/a “Sandy Singh”), is a native and citizen of India who entered the United States in and around 2000 and is a lawful permanent resident.

8. “Facebook” owns and operates a free access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to create their own profile pages which can include lists of their personal interests, photos of themselves and friends, and links to pages within and outside the Facebook environment. Facebook also permits users to send and receive private messages (the functional equivalent of e-mails) with other Facebook users, and to restrict the disclosure of certain information (i.e. blogs, profile information, photographs) exclusively to the Facebook “friends” of their choosing.

9. “WhatsApp” is an instant messaging service for “smartphones.” It utilizes the internet to make voice and video calls, send text messages, images, documents, user location, documents, audio files, phone contacts, and voice notes to other WhatsApp users using standard cellular mobile numbers. WhatsApp messages are encrypted.

COUNTS 1-23
Wire Fraud
(18 U.S.C. § 1343)

THE GRAND JURY FURTHER CHARGES THAT:

10. The allegations contained in paragraphs 1 through 9 are re-alleged and re-incorporated by reference as if fully set forth herein.

Scheme and Artifice to Defraud

11. Defendant KANWAR SARABJIT SINGH (a/k/a “Sandy Singh”) created a “Facebook” profile named “Sandy Singh” which included a photograph.

12. Defendant SINGH contacted numerous individuals in the United States and elsewhere by sending electronic “friend requests” on “Facebook.”

13. Defendant SINGH communicated with these individuals via “WhatsApp” and by cellphone after becoming “friends” with them on “Facebook.”

14. Defendant SINGH falsely represented that he was an employee of DHS and that he worked in the United States “visa department” or “U.S. Immigration and Naturalization Service” and that he had the ability to help anyone in any part of the world obtain a U.S. visa in exchange for a fee.

15. Defendant SINGH used a cellphone whose “caller id” function made it appear as if his telephone calls were originating from DHS.

16. Defendant SINGH created a false and fraudulent photo identification document bearing the name KANWAR SARABJIT SINGH, the words “United States Department of Homeland Security” on a seal, an identification number and a photograph of a man which matched the photograph on his Facebook profile for Sandy Singh (the “false and fraudulent DHS identification”).

17. Defendant SINGH emailed images of the false and fraudulent DHS identification to make it appear as if he was actually employed by DHS.

18. Defendant SINGH instructed individuals seeking U.S. immigration documents or visas to email him passport photographs, a copy of their passport and other personally identifying information (PII) and to send him money via overnight mail delivery services, such as Federal Express, or by wire transfer services such as MoneyGram or Western Union.

19. Defendant SINGH suggested to individuals seeking U.S. immigration documents or visas that they open a bank account, deposit money into that bank account and provide electronic access to that bank account to SINGH so that SINGH could withdraw money from that account using a debit card.

20. Defendant SINGH stated that he could not accept cash payments in person because he was a federal employee of the United States working at "Federal Plaza" in Washington, D.C.

21. Defendant SINGH claimed that he would not keep the monetary fee for himself but would use it to pay another federal employee (the "gora") to process the visas.

22. Defendant SINGH promised to send appointment letters from the United States Embassy in New Delhi, India, upon receipt of the requested monetary fee, photographs, passports and PII that SINGH represented that the individuals could use to pick up visa documents.

23. After receiving money or things of value, Defendant SINGH emailed images of documents that he falsely represented were copies of appointment letters or correspondence from the United States Embassy or memos from DHS with visa approval codes that could be used to obtain visas.

Acts in Execution of the Scheme

24. On or about the dates below, within the Eastern District of Virginia and elsewhere, defendant KANWAR SARABJIT SINGH (a/k/a "Sandy Singh"), having knowingly devised and

intended to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, transmitted and caused to be transmitted by means of wire communication in interstate commerce writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, as set forth below, each such wire transmission being a separate count:

<u>Count</u>	<u>Date</u>	<u>Wire Communication</u>
1	September 18, 2016	Wire communication (WhatsApp) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia transmitting a fake and fraudulent DHS photo identification bearing the DHS seal, identification number and the name KANWAR SARABJIT SINGH
2	September 26, 2016	Wire communication (email) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia requesting 6 passport sized photos, ration card or driving license copy, along with \$4,500 and balance to pay after R-1 visa issued
3	September 27, 2016	Wire communication (telephone call) to Defendant SINGH at a location outside the Eastern District of Virginia from a location inside the Eastern District of Virginia confirming that he worked at "Federal Plaza," he could get a visa for a fee and had done it previously
4	September 28, 2016	Wire communication from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia requesting the transfer of \$1,500 in cash to Defendant SINGH at a FedEx Office in Pittsburgh, Pennsylvania
5	October 18, 2016	Wire communication (WhatsApp) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia promising to get a visa stamped to cause the transfer of money to Defendant SINGH
6	March 4, 2017	Wire communication (Facebook message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia confirming he still worked at DHS
7	June 22, 2017	Wire communication (Facebook message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia providing a new cellphone number

8	September 27, 2017	Wire communication (Facebook message) to Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia providing a new cellphone number
9	October 4, 2017	Wire communication (telephone call) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia offering to obtain five U.S. visas for \$4,000 each
10	November 30, 2017	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia offering to process visas for a lower price
11	December 13, 2017	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia suggesting that money be deposited in a bank account in India for the processing of visas in the United States
12	December 22, 2017	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia offering to send a government identification and social security number and to start processing visas
13	January 3, 2018	Wire communication (telephone call) to Defendant SINGH at a location outside the Eastern District of Virginia from a location inside the Eastern District of Virginia guaranteeing the sale of visas and confirming that SINGH had done this previously for others
14	January 10, 2018	Wire communication (email) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia transmitting a false and fraudulent DHS photo identification bearing the DHS seal, identification number and the name KANWAR SARABJIT SINGH and a social security card in the name of KANWAR SARABJIT SINGH
15	January 18, 2018	Wire communication (email) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia requesting the name and other PII for visa applicant and a mailing address in India
16	February 5, 2018	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia providing mailing details for a Federal Express package to an address in Iowa City, Iowa

17	February 6, 2018	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia transmitting hotel reservation information for Hampton Inn, Gainesville, Virginia
18	April 29, 2018	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia directing shipment of 2 bubble envelopes to FedEx Store
19	April 30, 2018	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia providing mailing address for FedEx priority overnight delivery to Kanwar Sarabjit SINGH in Iowa City, Iowa
20	May 1, 2018	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia confirming appointment date at U.S. Embassy on 30 May 2018 at 10:30 a.m.
21	May 3, 2018	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia confirming receipt of a Netspend prepaid debit card
22	May 4, 2018	Wire communication (text message) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia confirming shipment of a packet containing "5 different papers with date time for New delhi consulate"
23	May 16, 2018	Wire communication (email) from Defendant SINGH at a location outside the Eastern District of Virginia to a location inside the Eastern District of Virginia transmitting an image of a false and fraudulent memo from DHS purporting to approve five U.S. visas on May 30, 2018 at the U.S. Consulate in New Delhi, India

(All in violation of Title 18, United States Code, Section 1343).

COUNT 24
False Personation
(18 U.S.C. § 912)

THE GRAND JURY FURTHER CHARGES THAT:

25. The allegations contained in paragraphs 1 through 23 are re-alleged and re-incorporated by reference as if fully set forth herein.

26. From in and around the beginning of 2016, through in and around May of 2018, within the Eastern District of Virginia and elsewhere, the defendant, KANWAR SARABJIT SINGH (a/k/a "Sandy Singh"), did knowingly, willfully and falsely assume and pretend to be an officer and employee acting under the authority of the United States, and a department and agency thereof, that is, an employee of the United States Department of Homeland Security ("DHS"), and did act as such, that is, falsely represent himself to others to be an employee of DHS who could obtain U.S. visas and immigration documents, such as "green cards," for individuals seeking to enter or remain in the United States, in exchange for a fee; make and send an image of a false and fraudulent DHS photo identification and use a telephone with a caller identification feature that made it appear as if the telephone was from DHS, and in such pretended character, did demand and obtain any money, paper, document, and thing of value.

(In violation of Title 18, United States Code, Section 912).

FORFEITURE NOTICE

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE THAT:

Pursuant to Federal Rule of Criminal Procedure 32.2(a), the defendant is notified that if he is convicted of any of the wire fraud offenses, alleged in Counts 1 through 23 of this Indictment, he shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 1343, including but not limited to, the following property:

A. A sum of money, in the amount of at least \$13,000.00 in United States currency, which represents the amount of proceeds obtained as a result of the violations in Counts 1 through 23 above; and

B. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by 28 U.S.C. § 2461(c), the defendant shall forfeit substitute property, up to the value of the amount described in the paragraph above, if, by any act or omission of the defendant, the property, or any portion thereof, cannot be located upon the exercise of due diligence; has been transferred, sold to, or deposited with a third party; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

REIMBURSEMENT LIMIT: If the reimbursable costs of responding to this subpoena will exceed \$300, please contact the Budget Officer at (703) 299-3700 for prior authorization to continue.

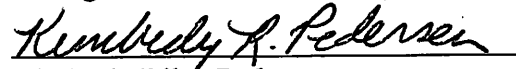
REIMBURSEMENT
PROCEDURES: Complete Sections A and B of the attached OBD-211 Form and return the form, along with a copy of the subpoena, to the following:

United States Attorney's Office
Attn: Grand Jury Coordinator
2100 Jamison Avenue
Alexandria, Virginia 22314

Sincerely,

Tracy Doherty-McCormick
Acting United States Attorney

By:


Kimberly Riley Pedersen
Assistant United States Attorney

Enclosures

(Pursuant to 18 U.S.C. § 981, 28 U.S.C. § 2461(c), 21 U.S.C. § 853(p), and Rule 32.2(a) of the Federal Rules of Criminal Procedure.)

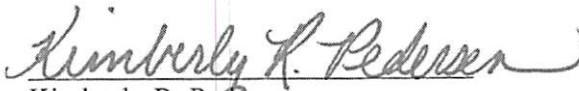
Pursuant to the E-Government Act,
A TRUE BILL
The original of this page has been filed
under seal in the Clerk's Office

Foreperson of the Grand Jury

TRACY DOHERTY-MCCORMICK
ACTING UNITED STATES ATTORNEY

Date _____

By:


Kimberly R. Pedersen
Assistant United States Attorney